Remarks

Claim 25 has been canceled. Claims 1, 22, 23, 26, 28, 29, and 58 are amended. Claims 64-71 have been added. Claims 1-24 and 26-71 are pending.

§ 102 Rejections

Claims 1-8, 10-23, and 25-63, were rejected under 35 USC § 102(b) as being anticipated by WO 96/34028 (Sherman et al.). The Patent Office submits in part that Sherman et al. disclose a pressure sensitive adhesive comprising a tackifying silicone resin and a polydiorganosiloxane polyurea copolymer.

Original claims 23 and 25 have been combined into amended claim 23 and claim 25 has been cancelled. Original claims 23 and 26 have been combined into amended claim 26. The Patent Office has indicted that claims 25 and 26 would be allowable if rewritten in independent form.

Sherman et al. disclose tackified compositions comprising a curable polydiorganosiloxane oligourea segmented copolymer, wherein the oligourea segmented copolymer has end groups that are reactive under free radical or moisture cure conditions. Such reactive end groups are described in Sherman et al. at page 12, lines 5-25, for Formula I at page 10, lines 12-14. Sherman et al. further disclose two ways of obtaining the desired degree of oligomerization: (1) control the isocyanate to amine ratio to obtain either isocyanate or amine capped oligomer, and (2) judiciously select the amount of monoamine or monoisocyanate endcapper with stoichiometric amounts of isocyanate and amine (see page 13, lines 10-14). According to the table at page 13 of Sherman et al., the isocyanate:amine mole ratios are (a) 3:2, (b) 3:4, (c) 3:2, or (d) 1:2.

In contrast, claims 1, 22, 28, 29, and 58 have been amended to clarify the isocyanate:amine ratio of the polydiorganosiloxane polyurea copolymer of from about 0.9:1 to about 1.1:1. The recalculated isocycante:amine ratios of Sherman et al. are (a) 1.5:1, (b) 0.75:1, (c) 1.5:1, and (d) 0.5:1 wherein the oligourea segmented copolymer is endcapped with isocyanate or amine. Thus, Sherman et al. disclose for an amine endcapped oligourea segmented copolymer, the mole ratio of isocyanate to 1 mole of amine ranges from 0.5 to 0.75. For an isocyanate encapped oligourea segmented copolymer, the ratio of isocyanate to amine is 1.5 to 1. In other words, the

isocyanate or the amine is run in substantial excess during the reaction in order to provide an endcapped oligourea segmented copolymer.

For at least this reason, Sherman et al. do not disclose or suggest the invention claimed in claims 1, 22, 28, 29 and 58, and any claim that depends from claims 1, 22, 28, 29 and 58. Accordingly, Applicants respectfully request that the above rejection of claims 1-8, 10-23, and 25-63 be withdrawn.

§ 102/103 Rejections

Claim 24 was rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as being unpatentable over Sherman et al.

Claim 24 depends from claim 23. Claim 23 has been re-written in allowable form as discussed above. For this reason, claim 24 is also allowable. Accordingly, the above rejection of claim 24 should be withdrawn.

103 Rejections

Claim 9 was rejected under 35 USC § 103(a) as being unpatentable over Sherman et al. as applied above.

Claim 9 is ultimately dependent on claim 1. As discussed above, Applicants submits that claim 1 is allowable over the cited reference. For at least this reason, Applicants submit claim 9 is allowable over the cited reference.

Allowable Subject Matter

Applicants acknowledge that claims 3-7, 25, 26, 35, 36, 42, 43, and 49-51 have been deemed allowable by the Patent Office if rewritten in independent form including all limitations of the base claim and any intervening claims.

New claims 64-68 correspond to original claims 3-7 rewritten in independent form.

New claim 69 corresponds to original claim 35 rewritten in independent form.

New claim 70 corresponds to original claim 42 rewritten in independent form.

New claim 71 corresponds to original claim 49 rewritten in independent form.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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